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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,147	03/29/2004	Marvin R. Blumberg	P68755US1	8465
136 7590 10/31/2007 JACOBSON HOLMAN PLLC 400 SEVENTH STREET N.W. SUITE 600 WASHINGTON, DC 20004			EXAMINER SPAHN, GAY	
			ART UNIT 3635	PAPER NUMBER
			MAIL DATE 10/31/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/811,147	BLUMBERG, MARVIN R.	
	Examiner	Art Unit	
	Gay Ann Spahn	3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004 and 26 September 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input checked="" type="checkbox"/> Other: <u>Attachment 1</u> |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election of SPECIES I (i.e., Fig. 1A) of the FIRST GROUP OF SPECIES (i.e., species as to design of corridor space having distribution system) in the reply filed on 26 SEPTEMBER 2007 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Also, in order to clarify the record, the examiner notes that in her Office Action mailed 07 September 2007, she inadvertently listed the subject matter of the second group of species as being drawn to "species as to design of corridor space having distribution system" when she meant to list the subject matter as --species as to location of fiber optic trays and cylinders for fire suppression below floor or above mezzanine deck--.

Further, the examiner notes that she is vacating her Election of Species Requirement with respect to the SECOND GROUP OF SPECIES, because claim 1, lines 10-11, recites "a distribution system for water and communication lines being located below the floor of the building" which is drawn to SPECIES I of the SECOND GROUP OF SPECIES and therefore, the examiner should not have made Applicant elect (and Applicants election of SPECIES II of the SECOND GROUP OF SPECIES would amount to them having no claims drawn to the elected subject matter).

Because of this, claim 8 will be examined because it is believed that claim 8 was listed as not reading on the elected species because of Applicant's election of the SPECIES II of the SECOND GROUP OF SPECIES (which Election of Species Requirement is now being vacated).

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the

(1) "building" as specifically recited in claim 1, line 2,

(2) "explosion protection system surrounding the building" (emphasis added) as specifically recited in claim 1, line 3,

(3) "mezzanine deck . . . spanning an interior of the building" (emphasis added) as specifically recited in claim 1, lines 6-7,

(4) "plurality of air handling units are connected to each of the rooms to provide at least two times of air cooling capacity to each of the rooms in the event of failure of one of the air handling units" as specifically recited in claim 5,

(5) "explosion protection system includes a plurality of bollards surrounding the building" (emphasis added) as specifically recited in claim 6, and

(6) "condensate from the air handling unit is communicated to the distribution system" as specifically recited in claim 7 (the examiner notes that although Fig. 1A shows condensate opening 55 below floor 17, space 15, and distribution system

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51A/51B/23A/23B/16/18, it is not shown how condensate from the air handling system of AHU 8A in space 12 is communicated to the distribution system 51A/51B/23A/23B/16/18 below space 15),

must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because:

(1) reference numeral "12" (two occurrences in both Figs. 1A and 1C) has been used to designate both "space" and "mezzanine deck";

(2) reference numeral "9" has been used to designate both "supply air grill" (Figs. 1A and 1C) and "room" (in Fig. 6);

(3) reference numeral "7" has been used to designate both "server racks" (Fig. 7) and "room" (Figs. 5 and 6);

(4) reference numeral "6" has been used to designate both "conduit" (Figs. 1A, 1c, and 4A) and "room" (Figs. 5 and 6);

(5) reference numeral "5" has been used to designate both "room" (Figs. 1A, 1B, 1C, 2, 4A, 4B, 5 and 6 and beginning at page 6, line 13) and "trench" (page 12, line 26); and

(7) reference numeral "16" has been used to designate both "either chilled water supply pipe on page 5, lines 24-25 or chilled water return pipe on page 6, line 9" (Figs. 1A, 1B, 1C 3A, and 3B) and "racks" (Fig. 4A).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of

any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because:

(1) reference characters "3A and 3B" (Figs. 1A, 1B, and 1C) and "2 and 3" (Fig. 4A) have both been used to designate "walls"; and

(2) reference characters "16" and "18" and "106" and "108" have both been used to designate "chilled water supply line" and "chilled water return line".

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to because:

(1) the examiner notes the use of arrows at the end of lead lines and any arrows failing to comply with 37 C.F.R. § 1.84(r)(1-3) should be deleted (for example, the arrow

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at the end of the lead lines leading from reference numerals "60" (both occurrences), "56", "17", "23A", and "23B" in Fig. 1A should be deleted as failing to comply with 37 C.F.R. § 1.84(r)(1-3));

(2) Figs. 1A and 1C, the arrows through the right and left ends of air handling unit 8A and through return air transfer grill 10 should be given a reference numeral and explained in the specification;

(3) Fig. 1B, any structure that is beneath other structure should be drawn with dashed lines (i.e., if part of riser 24 is behind wall 3A, that part should be drawn with dashed lines, etc.);

(4) Fig. 2, the squiggle arrows through the server racks 7 should be given a reference numeral and explained in the specification and if the boxes between the rooms 4 and 5 are the air handling units, they should be labeled with reference character --8A-- and the dashed lines around the air handling units and between adjacent air handling units should be explained as not understood by the examiner;

(5) Fig. 3A, it is believed that some of the lines of either the motor 86 or the fan 82 should be dashed as being beneath the other; and

(6) Fig. 5, all of the lines leading into the rooms or too the "boxes" outside of the rooms should be given a reference numeral and explained in the specification as not understood by the examiner.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate



prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to under 37 CFR 1.84(h)(5) because:

(1) Figs. 1A and 1C both show modified forms of construction in the same view (i.e., cylinders for fire suppression system 51A and 51B and conduit box 23A (and conduit box 23B? for holding fiber optic lines?) are shown below raised floor 13 and also the alternative of having cylinders for fire suppression system 51A and 51B and fiber optic trays 61A and 61B are shown in dashed lines above mezzanine deck 12).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure

number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- (1) reference character "23B" in Figs. 1A, 1B, and 1C; and
- (2) reference numerals "16" (occurrence on left-hand side of Fig. 1B which should be changed to another reference numeral since reference numeral 16 on bottom of Fig. 1B already represents either chilled water supply pipe on page 5, lines 24-25 or chilled water return pipe on page 6, line 9"), "21", "22" in Fig. 1B;
- (3) reference numerals "2" and "3" in Fig. 4A; and
- (4) reference numerals "26", "27", "28", "29", "30", "31", "32", "33", "34", and "35" in Fig. 5.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

***The abstract should be in narrative form*** and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details. (Emphasis added).

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because:

(1) the Abstract of the Disclosure is not narrative in form (short, concise sentences), but rather is in claim form (one, long, run-on sentence).

Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities:

(1) page 4, lines 4-9, the description of Fig. 1A should be separated from the description of Fig. 1B;

(2) reference numeral "12" is called "space" (page 5, lines 9 and 14), "ceiling roof" (page 5, line 18), "mezzanine deck" (page 6, line 3), "roof structure" (page 6, lines 17 and 19), "roof structure slope" (page 6, line 25) and reference numeral "12" should be consistently called one term;

(3) page 5, lines 24-25, reference numeral "16" is called "chilled water supply pipe" and reference numeral "18" is called "chilled water return pipe, but on page 6, lines 9-10, it is the other way around;

(4) page 6, lines 9 and 10, it is believed that "3A" after the word "riser" should be changed to --24--

Appropriate correction is required.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Objections***

Claim 8 is objected to because of the following informalities:

(1) claim 8, line 2, it is believed that the word "five" should be changed to --fire--.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Claim 7, lines 2-3, the recitation of "condensate from the air handling unit is communicated to the distribution system" is vague, indefinite, and confusing as not being understood since there does not seem to be any pipes or lines from the air handling unit 8A to the distribution system 51A/51B/23A/23B/18/16 so that it is not clear how the condensate communicates with the distribution system.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over ARENAS (U.S. Patent No. 4,498,526).**

**As to claims 1 and 6, ARENAS discloses a data center comprising:**

a building (10 in Fig. 5),

a primary roof (12) of the building (10),

a secondary roof (26) inside the building forming a mezzanine deck (26), said mezzanine deck (26) being located below said primary roof (12) and spanning (ceiling 26 spans the building the green house room 46 only being an addition onto the building 10) an interior of the building (10),

an air handling unit (fan 34) located below said mezzanine deck (26) and above a floor (slab 18) of the building (10), and

a distribution system (network of ducts 16) for water and communication lines being located below the floor (18) of the building (10).

ARNEAS fails to explicitly disclose an explosion protection system surrounding the building and that the explosion protection system includes a plurality of bollards surrounding the building.

The examiner takes Official Notice that the use of bollards surrounding buildings as an explosion protection system is old and well known in the art (see Attachment I, which is a photo showing bollards surrounding a building).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the data center of ARENAS by including an explosion

protection system surrounding the building in order to provide security for the people and data in the building.

**As to claim 2,** ARENAS discloses the data center of claim 1 as discussed above, and ARENAS also discloses that the building (10) includes a plurality of rooms (22, 22) interconnected by a corridor (chase 24 behind door 30).

**As to claim 3,** ARENAS discloses the data center of claim 2 as discussed above, and ARENAS also discloses that the distribution system (16) is located below the corridor (24).

**Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over ARENAS (U.S. Patent No. 4,498,526) in view of CHANDLER (U.S. Patent No. 3,720,258).**

**As to claim 4,** ARENAS discloses the data center of claim 3 as discussed above.

ARENAS fails to explicitly disclose that a ceiling of the corridor defines a space located below the mezzanine deck, the air handling unit is located in the space.

CHANDLER disclose that it is well known to dispose air handling units (35 in Fig. 1) within a space above a suspended ceiling (31).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the data center of ARENAS by disposing the air handling unit in a space between the ceiling and mezzanine deck as taught by CHANDLER in

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order to make the hall more aesthetically pleasing by having the air handling unit concealed in the space above a suspended ceiling.

**Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over ARENAS (U.S. Patent No. 4,498,526) in view of OBLER ET AL. (U.S. Patent No. 3,818,814).**

As to claim 5, ARENAS discloses the data center of claim 2 as discussed above.

ARENAS fails to explicitly disclose that a plurality of air handling units are connected to each of the rooms to provide at least two times of air cooling capacity to each of the rooms in the event of failure of one of the air handling units.

OBLER ET AL. discloses that it is well known in the art to provide redundant air handling units (see col. 1, lines 31-37).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the data center of ARENAS by including a plurality of air handling units are connected to each of the rooms to provide at least two times of air cooling capacity to each of the rooms as taught by OBLER ET AL. in order for the building to have a back-up air handling unit in case of failure of the primary air handling unit.



**Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over ARENAS (U.S. Patent No. 4,498,526) in view of HOPKINS, JR. (U.S. Patent No. 4,513,545).**

As to claim 7, ARENAS discloses the data center of claim 1 as discussed above.

ARENAS fails to explicitly disclose that condensate from the air handling unit is communicated to the distribution system.

HOPKINS, JR. discloses that it is well known to use a condensate drain pipe (212 in Fig. 28; see col. 16, lines 4-8) in association with an air conditioning system.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the data center of ARENAS by including a condensate drain pipe to communicate condensate from the air handling unit to the distribution system as taught by HOPKINS, JR. in order to prevent molding in the space where the air handling unit is disposed.

**Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over ARENAS (U.S. Patent No. 4,498,526) in view of HIRSCH (U.S. Patent No. 4,012,875).**

As to claim 8, ARENAS discloses the data center of claim 1 as discussed above.

ARENAS fails to explicitly disclose that the distribution system further includes a fire suppression system.

HIRSCH discloses fire suppression system (sprinkler heads 16) which get their water supply from a distribution system of pipes.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the data center of ARENAS by making the distribution system include a fire suppression system as taught by HIRSCH in order to spray water from the sprinkler heads to protect the building from damage in case of fire.

**Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over ARENAS (U.S. Patent No. 4,498,526) in view of PULVER (U.S. Patent No. 3,935,897).**

As to claim 9, ARENAS discloses the data center of claim 1 as discussed above.

ARENAS fails to explicitly disclose that the distribution system further includes a chilled water supply line and a chilled water return line.

PULVER disclose a chilled water supply line and a chilled water return line (76 in Fig. 9; see col. 3, lines 44-48) communicating with a distribution system (82, 84, 86) below the floor.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the data center of ARENAS by including a chilled water supply line and a chilled water return line in the distribution system as taught by PULVER in order to circulate chilled water in the building for the air conditioning system.

**Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over ARENAS (U.S. Patent No. 4,498,526) in view of PULVER (U.S. Patent No. 3,935,897), as applied to claim 9 above, and further in view of FINNELL (U.S. Patent Application Publication No. 2002/0139056)**

**As to claim 10, ARENAS in view of PULVER discloses the data center of claim 9 as discussed above.**

Neither ARENAS nor PULVER explicitly discloses that the chilled water supply line and the chilled water return line are connected by valves to a bypass water line for use in the event of maintenance or failure of one of the chilled water supply line and the chilled water return line.

FINNELL discloses the use of valves and bypass water lines (see paragraph no. [0013], lines 13-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the data center of ARENAS in view of PULVER by including a valve and bypass water liner as taught by FINNELL in order to be able to perform maintenance on one of the chilled water supply and/or return lines.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Patents cited of interest as showing various configurations of data centers include: U.S. Patent No. 6,374,627 to Schumacher et al.; U.S. Patent No. 6,574,104 to Patel et al.; U.S. Patent No. 6,672,955 to Charron; U.S. Patent Application

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Publication No. 2005/0170770 to Johnson et al.; U.S. Patent No. 2004/0099747 to Johnson et al.; U.S. Patent No. 6,859,366 to Fink; and U.S. Patent No. 6,557,624 to Stahl et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gay Ann Spahn whose telephone number is (571)-272-7731. The examiner can normally be reached on Monday through Friday, 10:30 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard E. Chilcot can be reached on (571)-272-6777. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Gay Ann Spahn, Patent Examiner  
October 28, 2007

# Attachment 1



shrubbery  
small trees  
→

Site security at historic and other landmark buildings demands extra care, as their architectural, landscape, and urban design may contribute to their significance. Security elements must take cues from existing features in order to serve unobtrusively. At some sites, where a building is only a short distance from a public street, the introduction of physical countermeasures may provide little security enhancement, but considerable negative impact. Where this is the case, Project Teams should consider how operational measures, such as extra security patrols or interior space planning, might better serve the project's comprehensive goals.

